

-- REMARKS --

Applicants thank the Examiner for the noted allowability of claims 5, 15, and 25.

A. Claims 6-9, 16-19, and 26-29 were rejected as anticipated by Davis

Applicants continue to maintain their traversal of the rejection of claims 6-9, 16-19, and 26-29 as anticipated under 35 U.S.C §102(e). In order to maintain this §102(e) rejection, each and every element of the claimed invention must be disclosed in as great detail by the reference. Because the reference does not disclose each and every element, this rejection must fall.

At a minimum, Davis does not disclose “communicating a notification indicating the translated text file is an incomplete translation of the master text file when all of the target language text phrases fail to correspond to the source language text phrase” as claimed in claims 6, 16, and 26. (emphasis added). The “translated text file” is “imported.” Rather, Davis discloses a method and apparatus for translating between source and target code.

While the Examiner argues that Davis teaches importing a translated text file, this ‘imported’ translated text file is not used as the basis for communicating any notifications, much less communicating a notification indicating the translated text file is an incomplete translation of the master text file when all of the target language text phrases fail to correspond to the source language text phrase” as claimed in claims 6, 16, and 26.

In other words, Davis discloses a method intended to create an accurate translation (see column 7, lines 65-67), while the claimed method manages translation of a master text file by importing an already translated text file corresponding to the master text file and performing additional steps.

Therefore, Davis cannot anticipate independent claims 6, 16, and 26, nor claims 7-9, 17-19, and 27-29 depending from claims 6, 16, or 26 respectively. Withdrawal of the rejections to claims 6-9, 16-19, and 26-29 is requested.

B. Claims 1, 11, and 21 were rejected as unpatentable over Davis in view of Elsbree

The rejection of claims 1, 11, and 21 as unpatentable is traversed. In order to maintain this rejection, each and every element of the claims must be taught or suggested by the references, alone or in combination; there must be a motivation to combine the references; and the references must be analogous art.

Applicants note that the Examiner fails to illustrate how the alleged similarities in structure and function of Davis and Elsbree render the references analogous art. While it is true that PTO classification is not a *sine qua non* of analogous art, disjoint in structure and function prevents references from being analogous art. Because these references are non-analogous art, combining their teachings is improper and cannot support a §103(a) rejection.

Furthermore, there is no motivation to combine the references taught by Davis in view of Elsbree, rendering the Examiner's rejection flawed for another reason. The Examiner correctly notes that the level of skill in the art does not act as a bridge over gaps in the substantive presentation of an obviousness case. However, the Examiner must prove that the teachings of Davis and Elsbree would suggest the claim limitations, and a conclusory statement cannot satisfy the Examiner's burden.

Furthermore, the teachings of Davis directly teach away from the claimed elements. It cannot be credibly argued that a method of accurately translating text (i.e. Davis' method and apparatus for translating between source and target code) would teach methods of managing a translation of a master text file including importation of a previously translated file.

Withdrawal of the rejections to claims 1, 11, and 21 is requested.

C. Claims 2, 12, and 22 were rejected as unpatentable over Davis in view of Elsbree and further in view of McKeeman

The rejection of claims 2, 12, and 22 as unpatentable is traversed. In order to maintain this rejection, each and every element of the claims must be taught or suggested by the references, alone or in combination; there must be a motivation to combine the references; and the references must be analogous art.

Additionally, claims 2, 12, and 22 depend directly or indirectly from claims 1, 11, or 21, and are therefore patentable over Davis in view of Elsbree in view of McKeeman for at least the same reasons as above. In addition, as stated above Davis in view of Elsbree does not teach each claim element, and McKeeman does not cure this defect.

Withdrawal of the rejections to claims 2, 12, and 22 is requested.

D. Claims 3, 4, 13, 14, 23, and 24 were rejected as unpatentable over Davis in view of Elsbree and further in view of McKeeman and in further view of Brown

The rejection of claims 3, 4, 13, 14, 23, and 24 is traversed. Claims 3, 4, 13, 14, 23, and 24 depend from claims 1, 11, or 21, respectively, and are therefore patentable over the prior art for at least the same reasons. In addition, as stated above Davis in view of Elsbree does not teach each claim element, and McKeeman in view of Brown does not cure this defect.

Withdrawal of the rejections to claims 3, 4, 13, 14, 23, and 24 is requested.

E. Claims 10, 20, and 30 were rejected as unpatentable over Davis

The rejection of claims 10, 20, and 30 is traversed. Claims 10, 20, and 30 depend from claims 6, 16, or 21, respectively, and are therefore patentable over the prior art for at least the same reasons.

Withdrawal of the rejections to claims 10, 20, and 30 is requested.

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CONCLUSION

The Applicants respectfully submit that claims 1-30 fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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Respectfully submitted,
KEVIN R. HOLUBAR, *et al.*

/FRANK C. NICHOLAS/

CARDINAL LAW GROUP
Suite 2000
1603 Orrington Avenue
Evanston, Illinois 60201
Phone: (847) 905-7111
Fax: (847) 905-7113

Frank C. Nicholas
Registration No. 33,983
Attorney for Applicants